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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4 NEXTG NETWORKS OF CALIFORNIA, INC.,) No. C 05 0658-MHP
5 a Delaware corporation,)
6 Plaintiff,) PARTIES' STIPULATION OF
7 v.) DISMISSAL WITHOUT
8 THE CITY OF SAN FRANCISCO and THE) PREJUDICE
9 DEPARTMENT OF PUBLIC WORKS OF THE)
10 CITY OF SAN FRANCISCO,)
11 Defendants)
12)
13 THE CITY AND COUNTY OF SAN)
14 FRANCISCO,)
15 Counter-Claimant,)
16 v.)
17 NEXTG NETWORKS OF CALIFORNIA, INC.,)
18 Counter-Defendant.)

18 Plaintiff/Counter-Defendant NextG Networks of California, Inc. ("NextG") and
19 Defendants/Counter-Claimant the City and County of San Francisco and the Department of Public
20 Works of the City and County of San Francisco ("City"), through their undersigned counsel, hereby
21 stipulate to the dismissal without prejudice of all claims remaining before this Court, pursuant to Rule
22 41(a)(1) of the Federal Rules of Civil Procedure. Specifically, the parties agree and stipulate to the
23 dismissal without prejudice of NextG's Second, and Sixth Claims for Relief in NextG's original
24 complaint filed February 11, 2005, and the City's Counterclaim filed March 6, 2006. Each Party will
25 bear its own costs and attorneys' fees.

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1 Dated: November 20, 2008

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By: /s/
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Dated: November 12, 2008

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